



**U.S. Department of Justice**

*United States Attorney  
Western District of New York*

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# PRESS RELEASE

May 20, 2005

**RE: UNITED STATES v. DAVID APPELYARD**

United States Attorney Michael A. Battle announced that David Appleyard, age 46 of Linwood, New Jersey, had today entered a plea of guilty to a one-count Information before the Honorable John T. Elfvin, United States District Court Judge in Buffalo, New York. Appleyard pled guilty to possessing unauthorized & counterfeit codes designed to allow illegal access to copyright-protected software and promoting same over the Internet. Appleyard is scheduled to be sentenced on November 18, 2005 at which time he will face a maximum possible sentence of 10 years in federal prison.

Assistant U.S. Attorney Martin J. Littlefield said that the charges and the plea grew out of an investigation which began in March, 2004, by members of the FBI Buffalo Cyber Task Force (BCTF) – a team of Cyber investigators. The investigation surrounded Appleyard's administration of a website dedicated to the exchange of pirated/illegal software, also referred to as “warez” software. Over the six month investigation, agents determined that Appleyard's website made available over 1000 business software applications to his membership of over 300 users none of which had

been authorized by the respective software manufacturers.

Appleyard was arrested in October, 2004 after investigators conducted a search at his residence outside of Atlantic City, New Jersey.

The case in the Western District of New York was investigated jointly by the FBI under the direction of Buffalo FBI Special Agent in Charge Peter Ahearn, the New York State Police, the New York State Attorney General's Office, the Niagara Frontier Transit Authority and the Erie County (NY) Sheriff's Office.

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